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CRS Issue Statement on Critical Infrastructure Security

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The nation's health, wealth, security, and quality of life rely on the production and distribution of certain goods and services (safe drinking water, electricity, fuels, etc.). The array of physical assets, processes, information, and people that facilitate this production and distribution have been referred to as the nation's critical infrastructure. Following the terrorist attacks of September 11, 2001, government at all levels has focused greater attention on the vulnerability of critical infrastructure and on how best to enhance its protection.

The federal government has taken on the responsibility of working with the owners and operators of critical infrastructure (both public and private) to determine which of their assets are the most critical to the nation as whole, to assess the vulnerability of these assets to a variety of threats, to determine the risks involved, to develop options for reducing those risks, and to implement the most cost-effective risk-reduction options. Although there is a range of regulatory intervention already in place across the various critical infrastructure sectors, national policy states that the federal government should strive to encourage owners and operators to take proactive, market-based actions to protect these assets. However, the federal government is willing to intervene (through regulation or incentives) in those cases where owners and operators are unwilling or unable to adequately protect nationally critical assets. The federal government has also assumed the responsibility of assisting state and local governments and some private sector entities protect assets that are important locally, but which may not be critical to the nation as a whole. While many federal agencies play a role, Homeland Security Presidential Directive (HSPD) No. 7 makes the Department of Homeland Security (DHS) the lead agency in coordinating this national effort.

Congressional activity is focused primarily on oversight of the various programs within DHS and elsewhere that implement this basic strategy. In particular, Congress is concerned about the progress and effectiveness of activities associated with identifying and assessing assets of national importance and prioritizing the allocation of federal resources (including the process by which DHS allocates critical infrastructure protection funds to states and localities). Congress is also interested in the effectiveness of information sharing mechanisms established among the various stakeholders. Congress also may develop legislation to address perceived shortcomings.

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